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**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q67543

Hubert GEHRING, et al.

Appln. No.: 10/026,553

Group Art Unit: 2167

Confirmation No.: 9577

Examiner: Nabil M. EL-HADY

Filed: December 27, 2001

For: DATA TRANSMISSION SYSTEM AND METHOD

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/026,553  
Attorney Docket No.: Q67543

Applicant is attaching herewith an English language translation of a Japanese Office Action, dated October 20, 2005, citing the foreign language documents submitted herewith, in compliance with the concise explanation required under 37 C.F.R. § 1.98(a)(3). Additionally, English language abstracts are being submitted herewith for the cited foreign language documents. No further concise explanation for such foreign language documents is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



Nataliya Dvorson  
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WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Date: December 8, 2005

Attorney Docket No.: Q67543



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**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

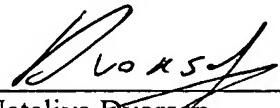
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

  
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|--|---|--------------------------|---------------------------|
| Substitute for Form 1449 A & B/PTO   |   | <i>Complete if Known</i> |                           |
| <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b><br><i>(use as many sheets as necessary)</i> |   | Application Number       | 10/026,553                |
|  |   | Confirmation Number      | 9577                      |
|  |   | Filing Date              | December 27, 2001         |
|  |   | First Named Inventor     | Hubert GEHRING            |
|  |   | Art Unit                 | 2167                      |
|  |   | Examiner Name            | Nabil M. EL-HADY          |
|  |   | Attorney Docket Number   | Q67543                    |
| Sheet  | 1 | of                       | PATENT & TRADEMARK OFFICE |

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

## **NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation <sup>6</sup> |
|--------------------|-----------------------|--|--------------------------|
|                    |                       | English translation of Japanese Office Action dated October 20, 2005.  |                          |
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|---------------------------|--|------------------------|--|
| <b>Examiner Signature</b> |  | <b>Date Considered</b> |  |
|---------------------------|--|------------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.